

REMARKS

Objections to the Drawings:

Paragraph 1 of the Action objects to the drawings because the drawings must show every feature of the invention specified in the claims. “Replacement Sheets” are included with this submission. The “Replacement Sheets” include new figures 1B and 3B, which clearly show lens(es) 106 placed in the chamber 104.

Applicant believes that no new matter has been entered since the arrow in original figure 1, the text of paragraph [018], and the text of several claims, for example, claim 1, indicate that the lens is placed in the chamber. Further, the text of the claims, for example, claim 25 indicate that a set of contact lenses can be used with the osmolarity measuring system and the Applicant may rely on the original claims. (See MPEP 608.01(I)). Applicant therefore respectfully requests that the objection to the drawings be withdrawn.

Claim Objection:

Paragraph 2 of the Action objects to claim 59 because it contains two periods. Applicant as amended claim 59 in the amendments above, replacing the extra period from the claim with a semicolon. Applicant therefore, respectfully requests that the objection of claim 59 be withdrawn.

Claim Rejections under 35 U.S.C. § 102:

Paragraph 4 of the Action rejects claims 75-77 under 35 U.S.C. § 102(e) as being anticipated by York (U.S. 5,143,080). Claims 75-77 have been cancelled in the amendments to the claims above. Applicant therefore, respectfully requests the rejections as to claims 75-77 be

withdrawn. Applicant has, however, cancelled claims 75-77 without prejudice and Applicant expressly reserves the right to pursue any patentable subject matter in claims 75-77 at a later time.

Claim Rejections under 35 U.S.C. § 103:

Paragraph 6 of the Action rejects claims 78-83 under 35 U.S.C. § 103(a) as being obvious in view of York in further view of Josefsen (US 4,123,701). Claims 78-83 have been cancelled in the amendments to the claims above. Applicant therefore, respectfully requests the rejections as to claims 78-83 be withdrawn. Applicant has, however, cancelled claims 78-83 without prejudice and Applicant expressly reserves the right to pursue any patentable subject matter in claims 78-83 at a later time.

Paragraph 7 of the Action rejects claim 83 under 35 U.S.C. § 103(a) as being obvious in view of York and Josefsen in further view of Ogasawara (“Electrical Conductivity of Tear Fluid in Healthy Persons and Keratoconjunctivitis Sicca Patients Measured by a Flexible Conductimetric Sensor”, Spring-Verlag 1996, 542-546). Claim 83 has been cancelled in the amendments to the claims above. Applicant therefore, respectfully requests the rejections as to claim 83 be withdrawn. Applicant has, however, cancelled claim 83 without prejudice and Applicant expressly reserves the right to pursue any patentable subject matter in claim 83 at a later time.

Allowable Subject Matter:

The Applicant acknowledges that in paragraph 8 of the Action the Examiner has indicated that claims 1-74 and 86-101 are allowable.

The Applicant acknowledges that in paragraph 9 of the Action the Examiner has indicated that claims 84 and 85 would be allowable if they were not dependent from a rejected base claim. Claim 84 has been rewritten to include all of the limitations of claim 75. Applicant believes that claim 84 is now in condition for allowance and respectfully requests that the claim be allowed. Claim 85 depends from claim 84 and is therefore also allowable. Accordingly, Applicant respectfully requests that claim 85 be allowed.

CONCLUSION

Applicant believes that given the above amendments and remarks, the claims are now in condition for allowance and such is respectfully requested. No new claim fees are believed to be necessitated by this response. A check for a one month extension of time is included herewith. The Examiner is requested to charge any additional fees that may be due with this response to deposit account 13-0480.

Respectfully submitted,

Date:

1/27/06

By:



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Amendments to the Drawings:

Please see the “Replacement Sheets” included with this submission.